

House Health and Human Resources Committee Amendment No. 1

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1340

House Bill No. 1729

by deleting all language after the enacting clause and by substituting instead the following:

Section 1. The general assembly with the enactment of this act intends to revive and place in full effect the provisions of Tennessee Code Annotated, Sections 37-10-301 through 37-10-307, which requires parental consent to perform an abortion on a minor.

Section 2. Notwithstanding any provision of law to the contrary, Tennessee Code Annotated, Sections 37-10-301 through 37-10-307, are explicitly revived and reenacted.

Section 3. Tennessee Code Annotated, Section 37-10-303, is amended by deleting the section in its entirety and by substituting instead the following:

(a) No person shall perform an abortion on an unemancipated minor unless such person or such person's agent first obtains the written consent of one (1) parent or the legal guardian of the minor. The consent shall be signed.

(b) If neither a parent nor a legal guardian is available to the person performing the abortion, or such person's agent, or the party from whom consent must be obtained pursuant to this section refuses to consent to the performance of an abortion, or the minor elects not to seek consent of the parent or legal guardian whose consent is required, then the minor may petition, on her own behalf, or by next friend, the juvenile court of any county of this state for a waiver of the consent requirement of this section, pursuant to the procedures of Section 37-10-304.

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(c) If a criminal charge of incest is pending against a parent of such minor pursuant to Tennessee Code Annotated, Section 39-15-302, the written consent of such parent, as provided for in subsection (a), is not required.

Section 4. Tennessee Code Annotated, Section 39-15-202(f), is amended by deleting the subsection in its entirety.

Section 5. This act shall take effect July 1, 1995, the public welfare requiring it.